

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BILLIE JOE BULLSHIELDS,

Defendant.

CR 12-82-GF-BMM

ORDER

This case was referred to United States Magistrate Judge John Johnston for a revocation hearing and findings and recommendations. Judge Johnston entered his findings and recommendations on February 22, 2017. Defendant admitted that she had violated the conditions of her supervised release by failing to report to her probation officer within seventy-two hours of her release from custody. Judge Johnston found the admission sufficient to establish the supervised release violation. He recommended that this Court revoke Defendant's supervised release and commit her to the custody of the United States Bureau of Prisons for a term of imprisonment of ten months, with no supervised release to follow.

No objections were filed by either party. Judge Johnston's findings and recommendations are therefore reviewed for clear error. *McDonnell Douglas Corp. Commodore Bus. Mach, Inc.*, 656 F.2d 1309, 1319 (9th Cir.

1981).

This Court agrees with Judge Johnston's findings. Defendant admitted she had violated the conditions of her supervised release. Defendant could be incarcerated for up to 36 months, followed by 48 months of supervised release less any custody time imposed. The United States Sentencing Guidelines call for a term of imprisonment of four to 10 months. A sentence of ten months in custody, followed by no supervised release is appropriate. This is the fourth time that the Defendant has violated the terms of her supervised release. The sentence is sufficient but not greater than necessary.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 255) are ADOPTED in full and Judgment shall be entered accordingly.

DATED this 9th day of March, 2017.



Brian Morris
United States District Court Judge